

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7199

Petition of Central Vermont Public Service)
Corporation for a certificate of public good,)
pursuant to 30 V.S.A. § 248(j), authorizing)
CVPS to reconfigure and make permanent a)
temporary 46 kV substation bypass at the)
VELCO Blissville Substation located in)
Poultney, Vermont)

Order entered: 8/21/2006

I. INTRODUCTION

This case involves a petition filed by Central Vermont Public Service Corporation ("CVPS") on May 26, 2006, requesting a certificate of public good under 30 V.S.A. § 248(j) to construct a substation bypass at the Vermont Electric Power Company, Inc. ("VELCO") Blissville substation in Poultney, Vermont. Petitioners submitted prefiled testimony, proposed findings, and a proposed order pursuant to the requirements of 30 V.S.A. § 248(j).

On June 20, 2006, the Public Service Board ("Board") issued a memorandum stating that additional information was required before the Board could notice the proposed project pursuant to Section 248(j). CVPS filed the required supplemental testimony on July 5, 2006.

Notice of the filing in this Docket was sent on July 14, 2006, to all entities specified in 30 V.S.A. § 248(a)(4)(c) and all other interested parties. The notice stated that any party wishing to submit comments as to whether the petition raises a significant issue with respect to the substantive criteria of 30 V.S.A. § 248 needed to file comments with the Board on or before August 15, 2006. A similar notice of the filing was published in the *Rutland Herald* on July 18 and July 25, 2006.

The only comment received was from the Department of Public Service, filed on

August 15, 2006, stating that it does not believe that the petition raises a significant issue with respect to the criteria of Section 248 and has no objection to the issuance of a certificate of public good.

The Board has determined that the proposed construction will be of limited size and scope and that the petition has effectively addressed the issues raised with respect to the substantive criteria of 30 V.S.A. § 248. Consequently, we find that the procedures authorized by Section 248(j) are sufficient to satisfy the public interest, and no hearings are required.

II. FINDINGS

1. The proposed project would involve reconfiguring and making permanent a temporary substation bypass at the VELCO Blissville substation. Petition at 1.

2. CVPS constructed a two-pole bypass at the Blissville substation in 1996. The bypass still exists, but has been disconnected from the system. Watts pf. at 1.

3. The Board approved the expansion of the Blissville substation in Public Service Board Docket 6860. A bypass at the substation will be required to ensure continued service. However, the alignment of the existing bypass would need to be altered to allow for the substation expansion. The proposed project would utilize the pole structures of the existing bypass. Watts pf. at 1; exh. DGW-1.

4. CVPS is proposing to construct a permanent bypass at the Blissville substation to ensure that work could be performed at the substation without disrupting service to CVPS's customers. Watts pf. at 1.

5. The proposed project would involve a bypass along the easterly and southerly sides of the substation fence to a loadbreak switch installed next to the access road. The line would be permanently connected with hot line connectors. The switch would normally be open and lightning arresters would be installed on each side of the switch for protection. The proposed project would require the installation of two pole structures at the south side of the substation yard. Watts pf. at 1-2.

Orderly Development of the Region

[30 V.S.A. § 248(b)(1)]

6. The proposed project will not unduly interfere with the orderly development of the region, with due consideration having been given to the recommendations of the municipal and regional planning commissions, the recommendations of municipal legislative bodies, and the land conservation measures contained in the plan of the affected municipality. This finding is supported by findings 7 and 8, below.

7. The proposed project would involve the installation of two transmission structures immediately outside an existing substation yard. Upton pf. at 1-2.

8. The proposed project would not impact any land conservation measures included in the Poultney Town Plan. The Poultney Planning Commission, the Poultney Selectboard, and the Rutland Regional Planning Commission were provided with plans and a description of the proposed project. None of these entities recommended changes to the proposed project. Upton pf. at 2.

Need for Present and Future Demand for Service

[30 V.S.A. § 248(b)(2)]

9. The proposed project is required to meet the need for present and future demand for service which could not otherwise be provided in a more cost-effective manner through energy conservation programs and measures and energy efficiency and load management measures. The proposed project consists of the construction of a short substation bypass to allow for maintenance work on a substation without service interruptions. Watts pf. at 2.

System Stability and Reliability

[30 V.S.A. § 248(b)(3)]

10. The proposed project would enhance system stability and reliability. Watts pf. at 2.

Economic Benefit to the State

[30 V.S.A. § 248(b)(4)]

11. The proposed project would result in an economic benefit to the state. This finding is supported by findings 12 and 13, below.

12. The total construction costs for the proposed project is estimated at \$27,450. The cost of the proposed project would be borne by VELCO. Watts pf. at 2.

13. The proposed project would have a positive effect on Vermont utilities and customers by improving system reliability and providing continuity of service to CVPS customers. Watts pf. at 2-3.

**Aesthetics, Historic Sites, Air and Water Purity,
the Natural Environment and Public Health and Safety**

[30 V.S.A. § 248(b)(5)]

14. The modifications as proposed will not have an undue adverse effect on aesthetics, historic sites, air and water purity, the natural environment and public health and safety. This finding is supported by findings 15 through 34 below, which include the criteria specified in 10 V.S.A. §§ 1424(a)(d) and 6086(a)(1)-(8)(a) and (9)(k).

Outstanding Resource Waters

[10 V.S.A. § 1424(a)(d)]

15. The proposed project is not located on or near any outstanding resource waters. CVPS consulted with the Agency of Natural Resources and the Department of Public Service regarding whether the proposed project has the potential to impact a highly significant body of water. Neither entity believed that the proposed project has the potential to impact a highly significant water body. Upton pf. at 7.

Water and Air Pollution

[10 V.S.A. § 6086(a)(1)]

16. The proposed project would not involve excessive dust or odors during construction. Construction will take place only during daylight hours, and the nearest residence is located over 1,000 feet from the substation. Earth disturbance will be limited to new pole locations. Upton pf. at 3.

Headwaters

[10 V.S.A. § 6086(a)(1)(A)]

17. The proposed project is not located in a headwaters area. Upton pf. at 3.

Waste Disposal

[10 V.S.A. § 6086(a)(1)(B)]

18. The proposed project will meet applicable health and environmental conservation department regulations regarding the disposal of waste. The proposed project does not involve injection of any material into ground water or wells. Unused and retired materials will be reused, recycled or disposed of in accordance with the rules of the Vermont Waste Management Division. Upton pf. at 3.

Water Conservation

[10 V.S.A. § 6086(a)(1)(C)]

19. The proposed project will not involve the use of water. Upton pf. at 3.

Floodways, Streams, and Shorelines

[10 V.S.A. §§ 6086(a)(1)(D)(E) &(F)]

20. The proposed project is not located in a floodway or located near a stream or shoreline. Upton pf. at 3-4.

Wetlands

[10 V.S.A. § 6086(a)(1)(G)]

21. The proposed project would not violate the rules of the Water Resources Board relating to significant wetlands. This finding is supported by findings 22 and 23, below.

22. A Class II wetland is located to the west of the proposed project. The proposed project would involve the placement of one pole structure in the wetland buffer, directly adjacent to the substation access road. There would be no significant impact on the wetland or wetland vegetation. Upton pf. at 4.

23. The Vermont Wetlands Office has determined that the placement of the pole structure in the wetland buffer is an allowed use under the Vermont Wetland Rules. Upton pf. at 4.

Sufficiency of Water and Burden on Existing Water Supply

[10 V.S.A. §§ 6086(a)(2)&(3)]

24. The proposed project would not require a water supply. Upton pf. at 5.

Soil Erosion

[10 V.S.A. § 6086(a)(4)]

25. The proposed project would not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that dangerous or unhealthy conditions may result. Soil disturbance would be limited to the installation of two pole structures and little clearing would be required. Upton pf. at 5; Upton supp. pf. at 1-3.

Transportation Systems

[10 V.S.A. § 6086(a)(5)]

26. The proposed project would not cause unreasonable congestion or unsafe conditions with respect to means of transportation. The Blissville substation is located on a private road, over 1,000 feet distant from the nearest public highway. Upton pf. at 5.

Educational Services

[10 V.S.A. § 6086(a)(6)]

27. The proposed project would not have an impact on educational services. Upton pf. at 5.

Municipal Services

[10 V.S.A. § 6086(a)(7)]

28. The proposed project would not require additional municipal or governmental services. Upton pf. at 5.

**Aesthetics, Historic Sites
and Rare and Irreplaceable Natural Areas**

[10 V.S.A. § 6086(a)(8)]

29. The proposed project would not have an undue adverse impact on the scenic or natural beauty, aesthetics, historic sites, or rare and irreplaceable natural areas. This finding is supported by findings 30 through 32, below.

30. The proposed project involves the installation of two pole structures near an existing substation. Watts pf. at 1.

31. The Blissville substation is located in an isolated area and is not visible from nearby public vantage points. Upton pf. at 6.

32. There are no known rare or irreplaceable areas or historic sites in the area of the proposed project. Upton pf. at 7; exh. TOU-1.

Necessary Wildlife Habitat and Endangered Species

[10 V.S.A. § 6086(a)(8)(A)]

33. There are no known areas of necessary wildlife habitat or endangered species sites in the proposed project area. Upton pf. at 7; exh. TOU-1.

Development Affecting Public Investments

[10 V.S.A. § 6086(a)(9)(K)]

34. The proposed project would not impact any public investments. Upton pf. at 7.

Least-Cost Integrated Resource Plan

[30 V.S.A. § 248(b)(6)]

35. The proposed project is consistent with CVPS's approved least-cost integrated plan in that it allows maintenance work to be conducted without service interruptions. Watts pf. at 3.

Compliance with Electric Energy Plan

[30 V.S.A. § 248(b)(7)]

36. The proposed project is consistent with the 2005 Vermont Electric Plan because it enhances reliability and allows greater flexibility to use existing facilities. Watts pf. at 2.

37. On August 15, 2006, the Department of Public Service filed a statement that the proposed project is consistent with the Vermont Twenty-Year Electric Plan, pursuant to 30 V.S.A. § 202(f). Determination by W. Steven Litkovitz, Electrical Engineer, dated August 9, 2006, filed with the Board on August 15, 2006.

Outstanding Resource Waters

[30 V.S.A. § 248(b)(8)]

38. The proposed project is not located on or near any outstanding resource waters. Upton pf. at 7.

Existing or Planned Transmission Facilities

[30 V.S.A. § 248(b)(10)]

39. The proposed project can be served economically by existing transmission facilities without undue adverse impact on Vermont utilities or customers. Watts pf. at 2.

III. CONCLUSION

Based upon all of the above evidence, we conclude that the proposed construction will be of limited size and scope; the petition does not raise a significant issue with respect to the substantive criteria of 30 V.S.A. § 248; the public interest is satisfied by the procedures authorized by 30 V.S.A. § 248(j); and the proposed project will promote the general good of the state.

IV. ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that the proposed modifications, in accordance with the evidence and plans presented in this proceeding, will promote the general good of the State of Vermont in accordance with 30 V.S.A. Section 248, and a certificate of public good shall be issued in the matter.

Dated at Montpelier, Vermont this 21st day of August, 2006.

<u>s/James Volz</u>)	
)	
)	PUBLIC SERVICE
<u>s/David C. Coen</u>)	
)	BOARD
)	
<u>s/John D. Burke</u>)	OF VERMONT

OFFICE OF THE CLERK

FILED: August 21, 2006

ATTEST: s/Susan M. Hudson
 Clerk of the Board

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: Clerk@psb.state.vt.us)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.